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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS

(Department of Petroleum)

ORDER

New Delhi, the 1st June 1970

G.S.R. 864.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) and in supersession of the Kerosene (Fixation of Ceiling Prices) Order, 1956, the Central Government hereby makes the following order namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Kerosene (Fixation of Ceiling Prices) Order, 1970.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of June 1970.

2. **Definitions:**—In this order, unless the context otherwise requires,—

(a) "dealer" means a person carrying on the business of selling kerosene, whether wholesale or retail and whether in conjunction with any other business or not, and includes—

(i) his representative or agent; and

(ii) an oil company making wholesale supply from its storage or selling point;

(b) "declared price" in relation to a variety of kerosene sold in any area means the price declared after the commencement of this Order,—

(1) by the State Government or District Collector in the case of an area in a State, or

(2) by the Administrator of a Union territory in the case of an area in a Union territory, or

(3) by such officer as the State Government or the Administrator of a Union territory, as the case may be, may empower in this behalf, as the price at which that variety of kerosene is to be sold by a dealer in that area from the 1st day of June 1970, or from the date of the declaration of price by the aforesaid authorities;

(c) the expression "kerosene" shall have the meaning assigned to it in item No. 7 of the First Schedule to the Central Excises and Salt Act, 1944 (1 of 1944) and shall include aviation turbine fuel.

(d) "schedule price" in relation to a variety of kerosene sold in any area means the basic ceiling selling price of that variety of kerosene at the nearest main port or the refinery, as the case may be, as indicated in item I of the Schedule appended to this Order.

3. **Fixation of maximum selling price of kerosene.**—On and from the date of commencement of this Order, no dealer shall sell kerosene to any person at a price which is in excess of the aggregate of the following, namely:—

(a) the schedule price;

(b) the increase or decrease, if any, in Central duties after the 1st day of June, 1970, as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(c) the rate of dealers' commission at Rupees seven and seventy paise per kilo litre subject to the State Government, or the Administrator of a Union territory, as the case may be, allowing, by notification in the official Gazette, reimbursement of any extraordinary expenditure which the dealers may have to incur under local conditions;

(d) (i) the railway freight actually payable on the 1st day of June, 1970 for transporting the quantity of kerosene from the nearest port of installation or the refinery, as the case may be, to the place of sale and the increase or decrease, if any, in such freight after that date;

(ii) the road transportation charges actually payable on the 1st day of June, 1970, for the transportation of supplies of kerosene by road by the dealer from the nearest storage or selling point of any oil company to the place of sale, as the State Government or the Administrator of a Union territory, as the case may be, may, having regard to the transportation charges payable for the transportation of goods by the shortest route, allow and the increase or decrease therein, if any, after that date:

Provided that for the sale of kerosene in the State of Assam, the autonomous state of Meghalaya and the State of Nagaland and in the Union territories of Manipur and Tripura and the North East Frontier Agency refered to in the North East Frontier Areas (Administration) Regulation, 1954 (1 of 1954), a flat transportation surcharge in lieu of the charges specified in sub-clause (i) and (ii) above, shall be added as shown at item II of the Schedule appended to this Order.

(e) the sales tax and any other local tax payable on the 1st day of June, 1970, on the quantity of kerosene, and the increase or decrease, if any, therein after that date;

(f) the price of container as shown in item III of the Schedule appended to this Order for all supplies of kerosene in eighteen decimal five litre tins;

(g) the surcharge, if any, over the basic ceiling selling prices mentioned in the Schedule appended to this Order which may be imposed by the Central Government from time to time.

4. **Kerosene stock to be displayed.**—Every dealer shall cause to be prominently displayed on a special board to be maintained for this purpose at or near the entrance of the place of sale—

(a) the varieties of kerosene held by him from time to time in stock for ready delivery;

(b) the declared price of each such variety of kerosene; and

(c) the price at which he proposes to sell each such variety of kerosene.

5. **Prohibition against withholding kerosene from sale.**—No dealer having stock of kerosene shall withhold it from sale.

6. **Inspection and maintenance of books of accounts, documents and records.**—Any officer authorised in this behalf by the State Government in relation to a territory in a State or, as the case may be, by the Administrator, in relation to a territory in a Union territory.

may, with a view to securing compliance with this Order—

(i) require the dealer to maintain and produce for inspection such books of accounts or other documents and records relating to his business and to furnish such information relating thereto, as may be specified in such authorisation, and

(iii) prescribe the manner in which accounts of sale or purchase of or other transactions in kerosene shall be kept.

7. **Power of entry, search and seizure.**—(1) Any officer authorised in this behalf by the State Government in relation to a territory in a State or, as the case may be, by the Administrator, in relation to a territory in a Union territory, may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with and with such assistance, if any, as he thinks fit—

(i) enter, inspect or break open and search any place or premises, vehicle or vessel which he has reason to believe has been or is being used for the contravention of this Order; and

(ii) search, seize and remove stocks of kerosene and the animals, vehicles, vessels, or other conveyance used in carrying kerosene in contravention of the provisions of this Order, and thereafter take or authorise the taking of all measures necessary for securing the production of the said stocks and the animals, vehicles vessels or other conveyance so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this Order.

8. **Provisions of the Order to prevail over previous Orders of State Governments, etc.**—The provisions of this Order shall have effect notwithstanding anything to the contrary contained in any Order made by the State Government or the Administrator of a Union territory or by any officer of such State Government or Union territory before the commencement of this Order, except as respects anything done or omitted to be done thereunder before such commencement.

THE SCHEDULE

(*See para* 2(d) *and para* 3)

I. *Basic ceiling selling prices of kerosene in bulk per kilo litre ex-storage points.*

Port/Refinery		Kerosene Superior Rs.	Kerosene Inferior Rs	Aviation Turbine Fuel Rs.
(a)	Kandla	473.35	281.88	444.34
(b)	Okha	474.56	283.10	449.37
(c)	Bombay/Koyali	470.20	278.73	446.74
(d)	Goa	471.99	280.55	446.60
(e)	Cochin	472.72	281.15	—
(f)	Madras	480.62	289.25	466.10
(g)	Vizag	478.00	286.61	—
(h)	Calcutta/Digboi/ Gauhati/Barauni	484.78	293.55	464.93

II. *Flat transportation charges*	*In per kilo litre*
(a) Kerosene Superior	Rupees forty-eight decimal four five one zero.
(b) Kerosene Inferior	—do—
III. Price of 18.5 litre tin	Rupees three and sixty paise per tin.

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E. N. MANGAT RAI, Spl. Secy.

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